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26 June 2008

**By Facsimile**

Honorable Barbara S. Jones  
United States Courthouse  
500 Pearl Street, Rm. 620  
New York, NY  
Fax: 212-805-6191

Re: United States v. DeVito, et al.  
S4 06 Cr. 1089 (BSJ)

Dear Judge Jones:

Argument on the defendants' motions for Particulars is scheduled for June 27, at 3PM. Mr. DeVito is in Florida on business, with the consent of his Probation Department. He originally intended to attend the argument but because of unexpected business obligations on Friday the 27<sup>th</sup> and Monday the 30<sup>th</sup> he wishes to be excused from attendance. I have notified the AUSA, Jonathan New, by e-mail and voice mail but he has not yet responded.

Please excuse his presence in court on the 27<sup>th</sup>.

Very truly yours,

George L. Santangelo

Cc: AUSA Jonathan New, Esq.

Application GRANTED.

SO ORDERED  
Dated:

BARBARA S. JONES  
U.S.D.J.

6-27-08

